

**RESOLUTION NO. 2008 – 009**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, ESTABLISHING A SCHEDULE OF CIVIL PENALTIES FOR SUPPLEMENTAL CODE ENFORCEMENT PROCEDURES, IN FURTHERANCE OF ORDINANCE NO. 2007-09, AND SECTIONS 162.03, 162.21, 162.22, 162.23, AND 162.30, FLORIDA STATUTES FOR CIVIL PENALTIES FOR VIOLATIONS OF THE TOWN'S CODE; ESTABLISHING A NON-EXHAUSTIVE LIST OF THOSE VIOLATIONS THAT THE TOWN COUNCIL DEEMS TO PRESENT A SERIOUS THREAT TO THE PUBLIC HEALTH, SAFETY, OR WELFARE, OR MAY CAUSE IRREPARABLE OR IRREVERSIBLE HARM; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on June 14, 2007, pursuant to Ordinance No. 2007-009, the Town enacted a revised Code Enforcement System, which provides for supplemental code enforcement proceedings pursuant to Sections 162.03, 162.21, 162.22, 162.23, and 162.30 Florida Statutes; and

**WHEREAS**, pursuant to Ordinance No. 2007-009, the Town shall set civil penalties for violations of the Town's Code by Resolution; and

**WHEREAS**, Ordinance No. 2007-009, and the statutory provisions, further state that a code enforcement officer may immediately issue a citation if the violation presents a serious threat to the public health, safety, or welfare, or may cause irreparable or irreversible harm; and

**WHEREAS**, this Resolution seeks to establish the civil penalties and to create a non-exhaustive list of those violations that the Town Council deems may cause irreparable or irreversible harm.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Southwest Ranches, Florida:

**Section 1.** The above referenced recitals are true and correct and are incorporated herein by reference.

**Section 2.** In furtherance of Ordinance No. 2007-009, and Florida Statutory Sections 162.03, 162.21, 162.22, 162.23, the and 162.30 the Town Council hereby establishes its civil penalties for violations of the Town Code as follows:

With the exception of unlawful dumping, violations of bulk trash, filling and grading without a permit, public nuisances, repeat violations, and other life safety violations, a civil penalty in the amount of Two Hundred and Fifty Dollars (\$250.00) per day per violation shall be imposed if a violation of the Town's Code has been found. In the

event the civil penalty is paid without contest, said civil penalty shall be reduced to Two Hundred Dollars (\$200.00) per day per violation.

In cases pertaining to unlawful dumping, violations of bulk trash, filling and grading without a permit, public nuisances, repeat violations, and other life safety violations, a civil penalty in the amount of Five Hundred Dollars (\$500.00) per day per violation shall be imposed if a violation of the Town's Code has been found. In the event the civil penalty is paid without contest, said civil penalty shall be reduced to Four Hundred and Fifty Dollars (\$450.00) per day per violation.

**Section 3.** In addition to those items that may be determined in the sole discretion of the Code Enforcement Officer, the Town Council deems the following Code violations to present a serious threat to the public health, safety, or welfare, or may cause irreparable or irreversible harm (said list is a non-exhaustive list, which may be amended from time to time):

- a. Unlawful Dumping
- b. Violations of Bulk Trash
- c. Filling & Grading Without a Permit
- d. Public Nuisances
- e. Repeat Violations
- f. Life Safety Violations

**Section 4.** That this Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED** by the Town Council of the Town of Southwest Ranches, Florida, this 11<sup>th</sup> day of October 2007, on a motion by Council Member Steve Breitreuz and seconded by Council Member Aster Knight.

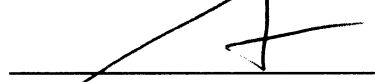
Fink	<u>Y</u>	Ayes	<u>5</u>
Maines	<u>Y</u>	Nays	<u>0</u>
Breitreuz	<u>Y</u>	Absent	<u>0</u>
Knight	<u>Y</u>	Abstaining	<u>0</u>
Nelson	<u>Y</u>		

  
Mecca Fink, Mayor

ATTEST:

  
Susan A. Owens, Town Clerk

Approved as to Form and Correctness:

  
Gary A. Poliakoff, J.D., Town Attorney  
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